

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATION
INTER-OFFICE MEMO**

March 24, 2011

TO: Rosemary Booth Gallogly

DEPT: Department of Administration

FROM: Walter Craddock, Esq. Chairman

DEPT: Division of Motor Vehicles

SUBJECT: HEARING BOARD RESULTS

Please be advised of the following matters which were heard before the Board on Thursday, March 24, 2011. Board members: Walter Craddock, Esq., James Botvin, Thomas Celona and Sgt. David Doucet of the Rhode Island State Police. Also be advised the following people were present during the hearing: Michael Vispo and Marcy Coleman, Esq., Division of Legal Services.

Absent: Dennis Gerstmeyer

**MEETING OF MARCH 24, 2011 AT 9:00 AM AT THE
DIVISION OF MOTOR VEHICLES –3RD. FLOOR, CONFERENCE ROOM**

600 NEW LONDON AVENUE, CRANSTON, RI 02920

**1. REVIEW AND ACCEPTANCE OF THE MINUTES OF THE:
FEBRUARY 24, 2011
BOARD HEARING.**

Minutes have been reviewed and accepted by the board

2. M. GRIECO ENTERPRISES II, INC. d/b/a FIAT OF PROVIDENCE (
Michael A. Grieco, Sr. Pres.)
FIRST APPLICATION – CASE # KR-11-078
TO DEAL IN NEW FIAT MOTOR VEHICLE & USED MOTOR VEHICLES
AT: 1660 HARTFORD AVENUE, JOHNSTON, RI 02919

Decision: The Board has approved this application subject to the dealership obtaining a second hand license and a certificate of occupancy from the town of Johnston and submitting copies to the Dealers License and Regulations Office. The dealership is also subject to a site inspection by the Dealers License and Regulations Office. Twelve dealer plates have been granted. There have been no protests. The Board has granted the request to sell vehicles from 1660 Hartford Avenue, Johnston, RI 02919 and to sell parts and service the vehicles at 1667 Hartford Avenue, Johnston, RI 02919.

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**3. DEALERS' LICENSE & REGULATIONS OFFICE V. DRIVE USA
AUTO SALES (Michael Cuomo, Pres.)**

**SHOW CAUSE HEARING (NOT IN PLACE OF BUSINESS) CASE #
DS-03-11**

**Decision: The Board has revoked the license to do business of Drive
USA Auto Sales as a result of the investigation by the Dealers
License and Regulations Office which determined that the dealership
was not in its place of business. Dealer plates, 146A-C, and license,
145, have been returned to the Dealers License and Regulations
Office.**

**4. DEALERS' LICENSE & REGULATIONS OFFICE V. GARCIA AUTO
SALES (Jose Perez, Pres.)**

SHOW CAUSE HEARING (DEALER VIOLATIONS) – CASE # KR-03-11

Decision: The Board has determined Garcia Auto Sales is in violation of the following Rhode Island General Laws and Rhode Island Rules and Regulations and is required to pay the amounts below which total \$1550.00, to the Rhode Island Dealers License and Regulations Office within 10 days of receiving the formal decision.

Fine: \$500.00: Violation of RI Rules and Regulations Section VI (L): Allowing a non-employee to act as an agent of the dealership.

Fine: \$50.00: Violation of RI Rules and Regulations Section VI (L): Failing to use checks from a dealership account for financial transactions.

Fine: \$500.00: Violation of RI Rules and Regulations Section VII (E): Insufficient information on the bill of sale relating to safety inspection requirements.

Fine: \$500.00: RIGL §31-5-11(10): For failure to properly document a mileage discrepancy.

The Board has determined that Garcia Auto Sales is in violation of Rhode Island General Law § 31-5-11(10) having indulged in unconscionable practices relating to business as a motor vehicle dealer. Therefore Garcia Auto Sales licenses to do business, numbers 484 and 85, have been suspended for 30 days. The dealership must return his licenses and dealer plates, 709A-G, to the Dealers License

and Regulations Office within 10 days of receiving the formal decision.

5. FOR DISCUSSION / DECISION

LETTER FROM TASCA AUTOMOTIVE GROUP REQUESTING TO DISPLAY 15 AUTOMOBILES AS WELL AS 2 RACE CARS AT THE WARWICK MALL FROM MARCH 15 THRU JULY 31, 2011. – CASE # DS-03-11

Decision: The Board has denied the request.

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6. FOR DISCUSSION / DECISION

LETTER FROM CHRISTOPHER HURD PRESIDENT OF HURD TCS

**AUTO SALES REQUESTING TO CHANGE HIS DBA NAME TO
THRIFTY CAR SALES OF JOHNSTON CASE # DS-03-11**

Decision: The Board has approved the request to change the name to Thrifty Car Sales of Johnston. There were no protests received.

7. (FOR DISCUSSION / DECISION)

**CAN A LICENSED CAR DEALER ALSO HAVE A VIN INSPECTION
STATION AT A DEALERSHIP LOCATION? – KR-03-11**

This discussion has been tabled to allow time to obtain more information.

Walter Craddock, Esq. Chairman

Cc: John DiTomasso, Assistant Administrator, DMV

Michael Vispo, Manager DMV

Marcy Coleman, Esq., Division of Legal Services, DOA

File